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*Docket File
Rm 222*

POLICY & PLANNING
BRANCH ROOM 5202

2 MAR 1993

IN REPLY REFER TO:

7330-7/1700A3

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable Dennis DeConcini
United States Senator
2730 East Broadway, Suite 160
Tucson, Arizona 85716-5340

Dear Senator DeConcini:

This is in reply to your letter of February 9, 1993, in which you inquired on behalf of your constituent, Bonnie Nicoletti, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Your constituent is specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take your constituent's concerns into account when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest. Your constituent's letter will be included in the record of the proceeding. We expect final rules to be issued in 1994.

Sincerely,

Edward R. Jacobs

for Richard J. Shiben
Chief, Land Mobile & Microwave Division
Private Radio Bureau

Enclosures
cc:
Chief, PR Bureau
Chief, LM&M Division
Docket Files, Room 222
P&P Branch File (Pink)

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02/18/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300693	02/18/93	02/09/93	03/03/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Senator	Dennis DeConcini	BC

CONSTITUENT'S NAME	SUBJECT
Bonnie Nicoletti	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRB <i>Lmm</i>			
<i>2-19-93</i>			
DATE	DATE	DATE	DATE
02/18/93			

REMARKS: Respond to the Tucson, AZ office.

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United States Senate

COMMITTEE ON THE JUDICIARY
WASHINGTON, DC 20510-6275

RRB
92-235
693

February 9, 1993

Ms. Lorrie Secrest
Director for Public Affairs
Federal Communications Commission
1919 M Street
Washington, D.C. 20554

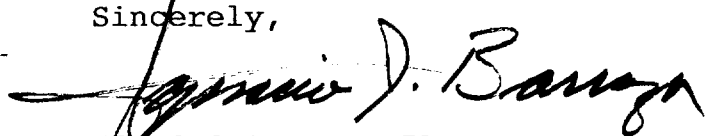
Dear Ms. Secrest:

Enclosed is a copy of the privacy release letter Senator Dennis DeConcini received from Ms. Bonnie Nicoletti requesting that we inquire on her behalf regarding the recent FCC proposal of P.R. Docket 92-235.

After you have had the opportunity to review the matter, I would appreciate your making any suggestions and/or recommendations on how we may assist Ms. Nicoletti with her concern.

Thank you.

Sincerely,



IGNACIO J. BARRAZA
Assistant to the Senator
Office of Dennis DeConcini
United States Senate
2730 East Broadway, Suite 160
Tucson, Arizona 85716-5340
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January 20, 1993

The Honorable Dennis De Concini
2730 E. Broadway Blvd.
Tucson, AZ 85716

Dear Senator Dennis De Concini,

I am a hobby retailer who sells many radios, radio-controlled models and related products in my store. In addition, I sell plastic model kits and other related hobby products.

It has recently come to my attention that the Federal Communications Commission (FCC) is considering an action that has the potential to destroy my business and that of thousands of other retailers nationwide like me. The proceeding is PR Docket 92-235. If adopted the new rule will greatly reduce the usability of frequencies currently assigned for R/C model use and increase the risk of accidents and attendant liability.

Our radio-control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio-control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

The Notice of Proposed Rule Making (NPRM) in PR Docket 92-235 replaces Part 90 of the rules with a new Part 88. Part 90 allows for safe use of R/C aircraft and surface models by keeping 10 Khz spacing between fixed commercial users and frequencies used by R/C enthusiasts. The new Part 88 will allow mobile users on frequencies within 2.5 Khz of frequencies available to us, eliminating safe use of at least 31 of the 50 channels on 72 MHz band (for R/C aircraft) and 10 of the 30 frequencies on the 75 MHz band (for R/C cars and boats) now used by hobbyists. In fact, more channels will likely be affected.

When we operate our R/C models, we go to great lengths to assure the safety of the operators and bystanders and the property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining will become congested and the margin of safety will be greatly decreased.

I don't think it is wise of the FCC to seek to expand the operation conditions of land mobile radio users at the expense of the radio-control modelers. The FCC may not think we are as important as business users of radio, but we have a considerable investment in our models and in our radio equipment. It is a billion dollar industry that must be saved from these detrimental FCC actions. The hobby provides many hours of enjoyment to hundreds of thousands of people and contributes to the advancement and development of the commercial aviation industry.

Please help me continue my business without interference by not allowing the FCC to carry out its proposal PR Docket 92-235 for the 72-76 MHz band. We need your help urgently because the FCC has a deadline of February 26, 1993 after which it may become more difficult to avoid this economic mistake.

Sincerely,

Bonnie Nicoletti

Bonnie Nicoletti